



BILLING CODE: 4510-FP-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Application for Permanent Employment Certification

ACTION: Notice.

SUMMARY: On August 29, 2014, the Department of Labor (DOL) will submit the Employment and Training Administration (ETA) sponsored information collection request (ICR) revision titled, "Application for Permanent Employment Certification," to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.). Public comments on the ICR are invited.

DATES: The OMB will consider all written comments that agency receives on or before September 29, 2014.

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at:

http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201408-1205-003 (this link will only become active on August 30, 2014) or by contacting Michel Smyth at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to:

DOL_PRA_PUBLIC@dol.gov.

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of

Management and Budget, Room 10235, 725 17th Street, N.W., Washington, DC 20503;
by Fax: 202-395-6881 (this is not a toll-free number); or by email:

OIRA_submission@omb.eop.gov. Commenters are encouraged, but not required, to
send a courtesy copy of any comments by mail or courier to the U.S. Department of
Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information
Compliance Management Program, Room N1301, 200 Constitution Avenue, N.W.,
Washington, D.C. 20210; or by email: DOL_PRA_PUBLIC@dol.gov.

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202-693-
4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to:
DOL_PRA_PUBLIC@dol.gov.

AUTHORITY: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks approval under the PRA for a
revision to the Application for Permanent Employment Certification, Form ETA-9089,
information collection. The form is used in DOL's employment-based immigration
program by employers to request permission to bring foreign workers to the United States
as immigrants and in the Department of Homeland Security's National Interest Waiver
program by individuals applying for a waiver of the job offer requirement if the waiver is
deemed to be in the national interest. This information collection has been classified as a
revision, because of minor clarifications to some of the data respondents are to provide.
Immigration and Nationality Act sections 203(b)(2), 203(b)(3), and 212(a)(5)(A)
authorize this information collection. See 8 U.S.C. 1153(b)(2), 1153(b)(3),
1182(a)(5)(A). See also regulations 20 CFR 656 and 8 CFR 204.5.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205-0451. The current approval is scheduled to expire on August 31, 2014; however, the DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the Federal Register on May 5, 2014 (79 FR 25621).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the ADDRESSES section by September 29, 2014. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0451. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-ETA.

Title of Collection: Application for Permanent Employment Certification.

OMB Control Number: 1205-0451.

Affected Public: Individuals or households; State, Local, and Tribal Governments; and Private Sector--businesses or other for-profits, farms, and not-for-profit institutions.

Total Estimated Number of Respondents: 73,400

Total Estimated Number of Responses: 295,472

Total Estimated Annual Time Burden: 227,687 hours.

Total Estimated Annual Other Costs Burden: \$467,000

Dated: August 22, 2014.

Michel Smyth,

Departmental Clearance Officer.

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